



Attorney Docket No. **MSU-04769/ED**

PATENT
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Christoph Benning *et al.*
Serial No.: 09/709,020
Filed: 11/08/00
Entitled: **Compositions and Methods For The Synthesis And Subsequent Modification Of Uridine-5'-Diphosphosulfoquinovose (UDP-SQ)**

Art Unit: 1652
Examiner: Y. Pak

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

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I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: March 11, 2002

By: Traci E. Light

Traci E. Light

Dear Sir or Madam:

Applicants submit this preliminary amendment in response to the Office Action mailed November 26, 2001, together with an RCE and a petition for a one month extension of time. Applicants have amended Figure 3 (attached at Tab A) in order to comply with the Sequence Rules as suggested by the Examiner on page 2 of the present Office Action. Applicants also submit a declaration pursuant to 37 C.F.R. § 1.132 (attached at Tab B).

REMARKS

The rejection of Claim 1 under 35 U.S.C. § 112, first paragraph, was withdrawn. The rejection of Claims 1, 2, 5 and 13-14 under 35 U.S.C. § 102(b) was withdrawn. The rejection of Claims 1, 2, 4 and 5 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Essigmann *et al.* in view of Mulichak *et al.* was withdrawn. Claims 1, 13, and 15-16 are pending. Claims 1, 13, and 15-16 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Essigmann *et al.* in light of Güler *et al.*, "A Cyanobacterial Gene, *sqdX*, Required for Biosynthesis of the Sulfolipid Sulfoquinovosyldiacylglycerol, *J. Bacteriol.*, 182: 543-45 (2000).